AMENDED IN ASSEMBLY APRIL 22, 2003

CALIFORNIA LEGISLATURE—2003-04 REGULAR SESSION

ASSEMBLY BILL

No. 1354

Introduced by Assembly Member Berg

February 21, 2003

An act relating to fish. An act to add Article 12 (commencing with Section 8125) to Chapter 1 of Part 3 of Division 6 of the Fish and Game Code, relating to fish, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1354, as amended, Berg. Commercial Fisheries Capacity Reduction Account.

Existing law states the intent of the Legislature to enact legislation establishing a comprehensive program to allow California groundfish fishermen to participate in any federally established buy-back program for the Pacific groundfish fishery.

This bill would state the intent of the Legislature, in subsequent amendments, to establish establish the Commercial Fisheries Capacity Reduction Account in the Fish and Game Preservation Fund, and to would authorize the Fish and Game Commission to establish a capacity reduction fee on the taking of certain species of fish and shellfish to be used to repay loans of made to California fishermen from by the federal government under the buy-back program.

Existing law continuously appropriates money in the Fish and Game Preservation Fund to the commission to pay all necessary expenses incurred in carrying out the Fish and Game Code, and to pay the compensation and expenses of the commissioners and employees of the **AB 1354**

commission. Existing law provides that all money collected under the code, except as otherwise provided, is deposited in the fund.

By creating new authority for the commission, and potentially increasing revenues deposited in the fund, the bill would make an appropriation.

Vote: majority. Appropriation: no yes. Fiscal committee: no yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature, in subsequent amendments, to do both of the following:

- (a) Establish the Commercial Fisheries Capacity Reduction Account in the Fish and Game Preservation Fund.
- (b) Authorize the Fish and Game Commission to establish a capacity reduction fee on the taking of certain species of fish and shellfish. Fees collected would be deposited into the account, to be used to repay the share of any loans of California Fisherman from the federal government that are used to purchase fishing permits and vessels in the federal Groundfish buy-back program, if that program is enacted.

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Article 12. Commercial Fisheries Capacity Reduction Program

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There is hereby established the Commercial Fisheries 8125. Capacity Reduction Account in the Fish and Game Preservation Fund. Fees collected pursuant to Section 8126 shall be deposited into the account. Money in the account shall be used to repay the California fishermen's share of any federal loans used in the federal West Coast Groundfish Fishery Capacity Reduction Program (Sec. 212, P.L. 107-206).

23 The commission may establish a capacity reduction fee

24 on the taking of certain species of fish and shellfish, consistent with the West Coast Groundfish Fishery Capacity Reduction Program. 26 In establishing the fee, the commission may also consider the administrative cost associated with collecting these fees.